

**AGENDA FOR  
CITY COUNCIL MEMBERS' "NOON" MEETING  
MONDAY, SEPTEMBER 8, 2003  
Immediately Following Director's Meeting  
CONFERENCE ROOM 113**

**I. MINUTES**

- \*1. Minutes from Council Members' "Noon" Meeting of August 25, 2003.
- 2. Minutes from Director's Meeting of July 7, 2003.
- 3. Minutes from Director's Meeting of August 25, 2003.

**II. COUNCIL REPORTS ON BOARDS, COMMITTEES, COMMISSIONS AND CONFERENCES**

- \*1. PRT Meeting (Newman)
- \*2. Downtown Lincoln BID Association Board of Directors Meeting (Werner)
- 3. Lincoln Partnership for Economic Development Investors' Meeting (Camp)
- 4. RTSD Board Meeting (Cook/Friendt/Svoboda)
- 5. Parks & Recreation Advisory Board Meeting (Cook)
- 6. Joint Budget Committee Meeting (McRoy/Werner)

**OTHER MEETINGS REPORTS:**

**III. APPOINTMENTS/REAPPOINTMENTS - NONE**

**IV. REQUESTS OF COUNCIL FROM MAYOR - NONE**

**V. MEETINGS/INVITATIONS**

- 1. Letter of invitation from Mayor Coleen Seng - To attend a community memorial ceremony observing the second anniversary of the terrorist attacks on America. "Patriot Day-Lincoln Remembers" will be held from Noon to 12:30 p.m. on Thursday, September 11<sup>th</sup> at the Veterans Memorial Gardens in Antelope Park. Please RSVP to Diane Gonzolas at 441-7831. (See Invitation)
- 2. Human Services Federation/Leadership Lincoln - Making the Connection Marketing, Fundraising & Development - on Thursday, September 25, 2003 from 8:00 a.m. to 12:00 p.m. - at the Lancaster County Extension, 444 Cherrycreek Road - Workshop Fee: Members: \$35.00 and Nonmembers: \$50.00 - Please fill out RSVP form. (See Brochure)

3. League Of Nebraska Municipalities - 2003 Annual Conference - Strengthening Effectiveness and Governance Capacity through Servant Leadership on October 1-3, 2003 at The Cornhusker Hotel, Lincoln - (See Invitation for more details)
4. The Lincoln Chamber of Commerce invites you to attend the following Ribbon Cutting: - Please RSVP to Tera Pugh at 436-2355 or E-Mail:  
     A.) DQ Grill & Chill, 2633 Whitehead Drive on Thursday, September 18, 2003 at 10:00 a.m.
5. E-Mail Invitation from Jon Carlson, NSNA - You are cordially invited to stop by the Near South Neighborhood Association Ice Cream Social this Sunday, September 7, 2003 from 2:00 p.m. to 4:00 p.m. will be held at our park at 19<sup>th</sup> & A Streets. (See Invitation)
6. The Nebraska State Historical Society Board of Trustees cordially invites you to attend a special celebration of 125 Years of NSHS History on Friday, September 26, 2003 – starting at 11:00 a.m. - Registration is \$10.00 per person - RSVP by September 19<sup>th</sup> - (See Invitation for more details)

## **VI. MISCELLANEOUS**

1. Discussion – on E-Mail from Bonnie Coffey - RE: The Leadership Council of Lincoln Community Learning Centers (CLCs) is requesting a City Council representative to replace the previous representative (Mayor Seng). This group meets every other month; the next meeting is scheduled for 8-10 am on Friday, September 12 at the Lancaster County Extension Office.  
     An Orientation Breakfast for new Leadership Council members is planned for 7:30-8:30 am on Thursday, September 25 in the first floor executive board room at Embassy Suites. (See Attached E-Mail)
2. Discussion on E-Mail from Jon Camp regarding Pre-Council Requests from Planning. (See Attached E-Mail)
3. Discussion on the Appointment of ex-officio member from City Council to the Visitor's Promotion Council with Kerry Eagan.
4. Discussion on Parking of recreational vehicles. (Requested by Jon Camp)

## **VII. CITY COUNCIL MEMBERS**

## **VIII. ADJOURNMENT**

**\*HELD OVER FROM SEPTEMBER 1, 2003.**

**MINUTES**  
**CITY COUNCIL MEMBERS' "NOON" MEETING**  
**MONDAY, SEPTEMBER 8, 2003**  
*CONFERENCE ROOM 113*

*\*AMENDED\**

*Council Members Present:* Jon Camp, Chair; Terry Werner, Vice-Chair; Jonathan Cook, Glenn Friendt, Annette McRoy, Patte Newman, Ken Svoboda; *ABSENT:* None

*Others Present:* Mark Bowen, Ann Harrell, Corri Kielty Mayor's Office; Dana Roper, City Attorney; Kerry Eagan, County Commissioners' Office [for a portion of the meeting]; Kent Morgan, Planning Department [for a brief portion of the meeting]; Joan Ray, Council Secretary; Darrell Podany, Aide to Council Members Camp, Friendt and Svoboda

**I MINUTES**

- \*1. Minutes from Council Members' "Noon" Meeting of August 25, 2003.
2. Minutes from Director's Meeting of July 7, 2003.
3. Minutes from Director's Meeting of August 25, 2003.

Chair Camp requested a motion to approve the above-listed minutes. Jonathan Cook moved to approve the minutes as presented. The motion was seconded by Annette McRoy and the minutes were approved, as presented, by general consensus of the Council.

**II. COUNCIL REPORTS ON BOARDS, COMMITTEES, COMMISSIONS AND CONFERENCES -**

\*1. PRT (Newman) Ms. Newman reported that it was the shortest PRT Meeting they'd ever held. There will be a meeting on Friday to work on ways to streamline procedures. Ms. McRoy stated that she planned on attending Friday's meeting. Ms. Newman added that they wanted to give Building & Safety a little more of a "hammer" to speed up the process, because there are people out there who are frustrated. Captain Srb, Ms. McRoy and the Team will be there to help work on resolving these concerns.

\*2. DOWNTOWN LINCOLN B.I.D. ASSOCIATION BOARD OF DIRECTORS MEETING (Werner) Mr. Werner reported that there had been a presentation on the Parking Campaign that DLA is starting. He stated that there is new signage (Big "P") and they're going to promote out-state that there is parking in downtown Lincoln. At that point in the meeting, Mr. Werner reported that he had to leave, so that was all he was able to review.

He did see the pictures of the final version of the MegaPlex. Mr. Cook asked what he had thought of that final version? Mr. Werner answered that he thought it was good. He thought that they had achieved what they had tried to accomplish. Though, there should be some sort of larger plan that would offer something other than the "here & there" patch-work approach. Mr. Cook stated that he thought it was strange that on the news they were showing the Lincoln Theater being torn down and they were interviewing an elderly man who

was talking about his memories. The news staff seemed to be indicating, basically, that he had gone to this theater as a kid. Mr. Cook noted that the Lincoln Theater had not been there for that long a period of time. `Older' Council Members offered that there had been an Old Lincoln Theater and Ms. Harrell added that the new Lincoln Theater had been named after that original structure.

Mr. Friendt noted that the downtown neighbors who had shown up for the meeting were pleased with the changes. He stated that he thought the plan was pretty cool. It had the look of a small town square, but in a contemporary fashion. He felt they had addressed a lot of the design issues.

3. LINCOLN PARTNERSHIP FOR ECONOMIC DEVELOPMENT INVESTORS' MEETING (Camp) Mr. Camp reported that they had been updated on the new EMR (a firm that works in the medical field) which is coming out of Vancouver, Canada to Lincoln. They moved three key executives here and they're looking at having 90 more jobs here within five years or so. That was a good economic announcement.

4. RTSD (Cook/Friendt/Svoboda) Mr. Cook reported that the meeting had mostly been discussion of the budget that had been previously discussed and which they passed. There were updates on the various projects. The 3<sup>rd</sup> & "A" Street viaduct should be done in November; the Salt Creek new bridge will also be completed. They had passed a motion asking Roger Figard to go to the Legislature and ask for an exemption on Sales Tax for the RTSD. Now, if the City or County does a project, then there is no sales tax if the RTSD just manages; but if the RTSD were to actually do the contract themselves, they'd have to pay sales tax...which is kind of a "goofy" thing.

The Bonding Issue (the RTSD does not have any bonding authority) was also discussed. The County Commissioners who were present didn't want to pursue that, so that was not made a part of the motion. Mr. Cook noted that that had surprised him, given all the discussion on the infrastructure and the "miracle" of bonding.

5. PARKS & RECREATION ADVISORY BOARD (Cook) Mr. Cook reported that the biggest part of the discussion had been about the golf courses. Because of the terrible heat, their "10,000 Rounds in 10 Days" program came up short (only about 9200 rounds). The concern is that they're just having trouble making the program "go". They wondered what the long-term outlook would be on the program. They do have five acres out at the Highlands which they're considering `surplusing'. They don't need those five acres for the golf course, and it would generate a considerable sum (approx. .5 million dollars) which will be put towards paying off the bonds for the Highland course. So, the Board voted to move forward on that. The long-term outlook is still a concern - what should be done? The discussion of alcohol sales always comes up, but there is also the issue of having to ultimately shut down a course. They don't want to do that, but if not, it may just be that all will be run "poorly". That would just drive more people away & make the program suffer even more and make the program suffer even more financially. So, that's not really an option. Mr. Cook didn't believe that the Advisory Board was at a point yet to shut down a course, it certainly isn't imminent, but these were just discussions about long term viability of the golf program.

Mr. Camp asked if the concern was from the standpoint of competition? Mr. Cook answered that yes - there are just too many courses right now. At the time the Highlands was built, a study was done that determined that Lincoln was under-served and the Highlands

could be very successful. And it was - it boosted the number of rounds played, considerably, when it was first brought on line, but so many more have been built since then that the competition is a problem now. Mr. Werner asked how many courses the City had. Mr. Cook answered that there were five, including the Junior golf course - and of course, the Junior golf course is subsidized by the others.

The Stransky Park dedication has been put off until Spring...so you can cancel the October 5<sup>th</sup> date. He noted that there had been no delays or mishaps, it's just that they didn't feel they'd have all the landscaping and everything else in place that would make it look great & they want it to be looking the best it can for the dedication.

Mr. Cook noted that the Sunken Garden project is going well.

6. **JOINT BUDGET COMMITTEE (McRoy/Werner)** Ms. McRoy reported that they had distributed the Keno Recommendation funding. There was a C-SIP policy report. Another thing of note is that JBC is recommending that the City and County jointly fund a gambling study. This would be an update of the one conducted several years ago through the Human Services offices. So, within the next week or so, JBC will be asking the Mayor for the City's share - which would be \$2250. The total cost of the study is approximately \$4500 all together. The County has already committed their share.

The report will be reviewing the different data outcomes from the surrounding areas that already have legalized gambling. Mr. Cook observed, then, that this is not a study about gambling problems in our community, but about what happens in other communities when they allow gambling? The purpose of this would be to provide a basis for evaluating whether or not to ban gambling in this ... ~~\*Ms. Newman~~ **Ms. Kielty** commented that she thought it was to be baseline data. The study would look at some of the Human Services categories that we already have here so that if the State did legalize gambling, then when we looked at it a year after legalization occurred, we would have a data baseline from the time before the legalization of gambling [in order to make informed comparisons].

Ms. McRoy noted that areas of Minnesota, and Council Bluffs, IA had been looked at along with the problems they have incurred. ~~\*Ms. Newman~~ **Ms. Kielty** noted that Ms. Boesch had done baseline data before, but since it was so long ago, an update was desired.

OTHER MEETINGS - None

**III. APPOINTMENTS/REAPPOINTMENTS** - Ms. Kielty reported that the Community Health Endowment Board appointment is still to be looked at. She reported that, at some point, the current Treasurer will be leaving; and Ms. Sibel is looking for someone who isn't affiliated with another foundation, who isn't necessarily a CPA, but has some knowledge about investments and foundation needs regarding investments, to be on the Board. Someone with those attributes would be very beneficial to them. Ms. Kielty went on to review the list of appointment nominations with Council. She noted that if any Council Members had a name to be submitted for any of the nominations to please contact her and direct anyone they knew who had an interest in serving, to fill out a Board Bank form.

Council discussed ways that the information sheet Ms. Kielty gives them regarding these appointments might be made more helpful to them in determining the appointments/reappointments options - something that might include an eligible person's interest in continuing to serve. Ms. Kielty agreed to make those changes. The remainder of the list was reviewed and discussed briefly.

**IV. REQUESTS OF COUNCIL FROM MAYOR** - Mr. Bowen commented that he had a few things to go through. He passed out a list of legislation that had not been acted upon by the last legislature - for Council's information. He distributed a second list which outlined the current, tentative list of legislation which the City will be following. He noted that several Council Members had mentioned last week that they might have ideas for other issues, too. He requested that, whenever a Council Member got those ideas, to please let Administration know - either at a "Noon" meeting or just through a call. Then we can get it on our tentative list and decide if it will be acted upon, or whether it is being addressed through some other avenue.

Mr. Camp noted, regarding the 911 sur-charge on cell phones, that all that money currently goes to help do the locating of where a cell phone is. He would ask that once that's done, or is gradually phased out, we can.... Mr. Bowen commented that he had talked with the County Board last Thursday, and the sur-charge came up. They're looking at adding their 25 cents per County line on the sur-charge. The discussion also covered the question of whether or not we can get the money from the State to the locals instead of having the State keep and redistribute it. He informed Council that he had encouraged the County to get that on their legislative agenda if it isn't already.

Mr. Cook noted that this isn't a list of things the City would like to have passed (pointing out LB775). It's just a statement of the City's position on various legislation. Is this going to become a "Statement of the City's Position"? He asked if the Administration was lobbying for any changes to the legislation? Mr. Bowen answered that there are a variety of pieces of legislation that deal LB775. Some of them deal with, primarily, reporting [inaudible] As you know, the more information we can obtain on how it will affect our budget, the better.

Mr. Cook noted that if Administration wanted to indicate on the list whether or not they specifically support some piece of legislation, such as reporting requirements, that is fine; but he did not see that the list currently tells the Council anything. Mr. Cook requested that the list show specific things, instead of posing just a general statement. Mr. Bowen pointed out that this was just the beginning list of legislation. Mr. Cook stated that he understood that and noted that this was just a request from him that the list include notations of specific support on the particulars of legislation rather than just offering a broad statement.

Mr. Werner asked if Council would be discussing this at the Council Budget Retreat in December - or would that be too late? Mr. Bowen stated that it would not be too late. The list can evolve at any point - we've always added things during the session as well.

Ms. Kielty noted that the League is forming several committees. One will be on the 911 surcharge. They've already met with a couple of the phone companies. Another concern came up that hasn't been discussed yet, so they decided that forming a committee would be a good idea. They'll be doing the same thing with the gas tax. Mr. Werner asked who all participates in the League? Who represents the City of Lincoln? Mr. Bowen stated that Jack Moors, the City Lobbyist and Corri and he also attended the meetings. He added that the Mayor attends many of the meetings. Ms. Kielty explained that the Mayor wants Council to be very well informed on the issue so as soon as the notes of last Friday's meeting are prepared, Council will be receiving copies.

Mr. Camp stated that he would like to see included on the list, based on the infrastructure financing, ways to collect wheel tax from non-city residents. Is there some other mechanism to be looked at that might require State authorization? Mr. Werner noted that that was a good idea. He asked if the ideas from the Infrastructure Task Force had been looked at? Mr. Bowen stated that they had. Mr. Werner asked if the issue of a City income tax had been looked at, wondering if State authorization would be needed for that? Mr. Bowen stated that it had been, and that State authorization is not needed. Other options had also been discussed with the County Board on some of these issues.

Discussion continued on the list. [The Legislative Update is an issue that normally should be addressed at a Pre-Council].

Mr. Bowen continued, noting that they had been discussing with the Omaha Lobbyist the Joint Omaha/Lincoln City Council Meeting. He noted that he had been reminded that Lincoln had hosted last year, so Omaha will be hosting this year's meeting. Mr. Bowen reported that he had informed the Omaha delegation that the Lincoln Council had expressed a desire to have the meeting in the Omaha Council Offices. Discussion ensued with other locations mentioned as site locations. Mr. Bowen felt it would probably be near the end of September (after Omaha's Budget Cycle) before planning for the next Joint meeting would begin. The meeting would probably be held in October or November and we have sufficient time to offer agenda items at this point.

News Conference notification to Council Members from the Mayor's Office was discussed briefly. Mr. Bowen noted that there will be an on-going News Conference every Thursday in the Council Chambers. He stated that he would also encourage local groups to contact the Council when planning news conferences which Council might deem pertinent.

Mr. Bowen reviewed the Administration's List of Requests for Pre-Councils, which could be addressed at anytime this Fall. That list included:

1. Police & Fire Pension Plan w/Amendments & Revisions
2. Interior Apartment Inspections - That is scheduled for next week. Ms. Harrell noted that perhaps that should be postponed until after the REOMA Annual Meeting on September 18<sup>th</sup>. Building and Safety thought there wasn't much point in an update until after that meeting.
3. Acreage Policy Pre-Council
4. Watershed/Flood Plain/Open Space Pre-Council
5. Fire Equipment Lease Purchase
6. Golf Program
7. Impact Fee Amendments (Economic Build Out Criteria as well as clean-up Amendments)
8. Smoking
9. EMS Ambulance Fees (A Pre-Council was held at the end of August on this issue - would this be something different?) Mr. Camp noted that he was trying to get together, as Patte had suggested, with the Fire Chief and Don Herz on that.

Mr. Bowen asked if there were any other things Council feels have been omitted from the list? Mr. Werner noted that he would like to have an LPED Re-organization Update. Mr. Bowen stated that Jim Fram was still working on some changes on the major structuring of the organization. Mr. Werner noted that he would like information before the process is completed. Mr. Bowen answered that he would check with Mr. Fram.

Mr. Cook asked about the Flood Plain/Open Space issue, wondering if that related to the Southeast Upper Salt Creek Watershed Master Plan? Ms. Harrell noted that it did relate to that and what had been discussed at the Common Meeting, but also to the broader issue of acquisition of open space. Mr. Cook felt that would be an important issue relating to the "Option C" issue and finding future funding for all those areas. Mr. Bowen thought that would cover two pre-councils. It was noted that if this issue is becoming an area of concern with a large number of constituents, it might need to be addressed through a legislative solution, if necessary. Mr. Svoboda noted that he would prefer that it be a Neighborhood Covenant issue.

## V. MEETINGS/INVITATIONS - Noted Without Significant Comment

## VI. MISCELLANEOUS -

1. Discussion – on E-Mail from Bonnie Coffey - RE: The Leadership Council of Lincoln Community Learning Centers (CLCs) is requesting a City Council representative to replace the previous representative (Coleen Seng). This group meets every other month; the next meeting is scheduled for 8-10 am on Friday, September 12 at the Lancaster County Extension Office.

An Orientation Breakfast for new Leadership Council members is planned for 7:30-8:30 am on Thursday, September 25 in the first floor executive board room at Embassy Suites. *Ms. Patte Newman was appointed by a nearly unanimous consensus. Ms. Coffey was notified of Ms. Newman's appointment with the additional information that Ms. Newman would be unable to attend the meetings scheduled for this month - due to the extremely short notification time.*

2. Discussion on E-Mail from Jon Camp regarding Pre-Council Requests from Planning. - It was determined, after input from Mr. Kent Morgan, who came in to update the Council on what these pre-councils would address, that the Pre-Council Requests from the Planning Department for a Briefing on **Cost of Rural Services Study** with Planning and Consultants would be set for 45 Minutes on September 22<sup>nd</sup> at 10:15 a.m.; and a 45 Minute Pre-Council on the **Build Through Standards** with Planning and Consultants would be set at 3:30 p.m. prior to the Night Meeting on September 29<sup>th</sup>. It was agreed that these would be pressing issues for the Council in the very near future and the coming years. Mr. Morgan confirmed to Council that the studies were completed and this would be finalized information. Mr. Morgan noted that the County had already been updated on these issues; after Council is updated, this could come before the Common as well.

3. Discussion on the Appointment of ex-officio member from City Council to the Visitor's Promotion Council with Kerry Eagan. Mr. Eagan explained the desire of the VPC to have City Council representation at the meetings, even though the representative would not be a voting member. Mr. Camp noted that a problem would be the meeting times, which was 1:30 p.m. on Mondays - which is in direct conflict with the City Council meetings. Mr. Eagan noted that he did not think that would be a problem, if the City Council wants to participate. The VPC would be flexible and change that time. He noted that when the By-laws had been re-drafted, it had been important to ask the City Council to participate on the Advisory Committee. There is an ex-officio member on the Committee from the County Board. There is also a member included from the University of Nebraska-Lincoln (Michelle Waite)

After a brief discussion, and Mr. Werner's expressed desire to participate, it was determined, by a 7-0 vote of Council, to place Terry Werner on the VPC as the Council representative. It was decided that it would be a one year term in order to allow greater participation by a larger number of Council Members in the future.

Ms. McRoy added that a representative of the World Horseshoe Championships had contacted her about having their annual competition here in Lincoln. She hoped that the VPC could help with that endeavor. Mr. Eagan noted that they could ask for an update on that and make sure that there will be a follow-up on it.

He added that two other members have been added to the committee and one will be a standing seat for one of the three large hotels in the Downtown area. He added that there had been a study initiated by the Chamber of Commerce with the Randall consulting group



to get a picture of Lincoln's Visitor's Bureau and compare it to "best practices". He noted they should have the results back on that study in the next several months.

4. Discussion on Parking of Recreational Vehicles. (Requested by Jon Camp) After a brief discussion of constituent concerns on the parking of Recreational Vehicles in residential neighborhoods, it was determined that Ms. Newman and Ms. McRoy would bring this issue to Captain Srb on the Problem Resolution Team as a Quality of Life Issue. Ms. Newman felt they could put the feeler out and see how many complaints they get on this and then come back with information to the Council. Ms. McRoy noted that there is actually a City Policy on this - she would review the material they had received on the issue and report back at the same time they presented the material from Captain Srb.

## VII. COUNCIL MEMBERS -

JON CAMP - No Further Comments

JONATHAN COOK - No Further Comments

GLENN FRIENDT - No Further Comments

ANNETTE McROY - No Further Comments

PATTE NEWMAN - No Further Comments

KEN SVOBODA - No Further Comments

TERRY WERNER - No Further Comments

ANN HARRELL - No Further Comments

MARK BOWEN - No Further Comments

CORRI KIELTY - No Further Comments

DANA ROPER - Mr. Roper reported to Council that there might be a situation at this afternoon's meeting. A person has registered to speak at the public session. They will be speaking, by and large, on an item that was placed on the Agenda on Friday (the Towing Contracts). The speaker had registered on Tuesday or Wednesday. On Friday, the insurance, which had been holding up the placement on the Agenda, was finalized, so it is on the Agenda.

Technically, you have an item that is on the Agenda, but the speaker registered before it was placed there. Mr. Camp asked what Mr. Roper's recommendation would be. Mr. Roper stated that Council could do either [a denial to speak or permission to speak]. He did not think this situation would occur very often. He felt Council could say that the individual had registered [prior to the placement of the issue on the Agenda.] Discussion continued briefly with a final determination being made to allow the presentation.

## VIII. MEETING ADJOURNED - Approximately 1:10 p.m.

cm090803/jvr